

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES  
Attorney Docket № 14222US02 (BU 2739)

In re Application of:

Martin Lund

Serial No.: 10/647,963

Filing Date: August 26, 2003

For: SYSTEM AND METHOD FOR  
INTEGRATING MULTISERVER  
PLATFORMS

Examiner: BARQADLE, YASIN M

Group Art Unit No.: 2456

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REPLY BRIEF

MS: APPEAL BRIEF-PATENTS  
Commissioner for Patents  
PO Box 1450  
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Sir:

In accordance with 37 CFR 41.41, the Appellant submits this Reply Brief in response to the Examiner's Answer mailed on January 19, 2011, with a two-month period of reply expiring on March 21, 2011 (the due date having fallen on a Saturday and this Reply Brief being due on the next business day). Claims 1-15 are pending in the present Application. The Appellant has responded to the Examiner in the Examiner's Answer, as found in the following Argument section.

As may be verified in his Final Office Action dated May 11, 2010 ("Final Office Action"), the Examiner had previously rejected all pending claims 1-15.

Claims 1-15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2002/0188718, by McGraw et al.<sup>1</sup>

To aid the Board in identifying corresponding arguments, the Appellant has used the same headings in the Argument section of this Reply Brief as the headings found in the Appellant's corresponding Brief on Appeal. The Brief on Appeal has a date of deposit of October 27, 2010.

#### **STATUS OF THE CLAIMS**

Claims 1-15 were finally rejected in the Final Office Action mailed May 11, 2010. Pending claims 1-15 are the subject of this appeal.

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<sup>1</sup> See Final Office Action at pages 4-7.

## ARGUMENT

The Appellant respectfully traverses the rejections of claims 1-15 at least based on the following arguments made in the Brief on Appeal.

### I. **Claims 1-15 Are Not Anticipated by McGraw**

Claims 1-15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by McGraw. The Appellant stands by the arguments made in the corresponding sections of the Brief on Appeal as set forth in further detail below.

#### A. **Rejection of Independent Claims 1, 5 and 9**

The Appellant stands by the arguments made in the corresponding section of the Brief on Appeal.

Additionally, the Examiner's Answer sets forth three arguments in response to the Appellant's arguments related to Appellant's independent claim 9 in the corresponding section of the Brief on Appeal.

Regarding the first argument, the Examiner's Answer states the following:

The Examiner notes that McGraw teaches a first multiserver platform (first chassis (top) figure 7) comprising a network interface (interface connecting between the link card and the server platform (top chassis) and first switch blade (first (top) link card/board) figure 7 and "at least a second multiserver platform (middle chassis figure 7) comprising a second switch blade (middle link card/board) coupled to said first switch blade (first (top) link card/board) of said first multiserver platform (first chassis (top) figure 7). The Examiner notes McGraw teaches in paragraph (0062) "In another embodiment, **multiple server chassis** may be provided, each

having multiple server processing cards associated therewith. Multiple server chassis may be coupled using a communication bus, such as communication bus 31. The coupling between multiple server chassis may be accomplished by coupling the communication bus with network interface cards in each attached server chassis. In a particular embodiment, the communication bus may comprise an RS-485 bus." In other words looking at figure 7 there is RS-485 bus that is between the link card and blade servers where top blades connect to the RS-485 via network interface. It is also noted the network interface or connection of blades to the RS-485 is separate than the link card/board as shown in figure 7. Therefore, Appellant's arguments regarding claim 9 is not persuasive.<sup>2</sup>

As acknowledged by the Examiner, McGraw teaches multiple server chassis coupled using a communication bus as shown in Figure 7, wherein the multiple server chassis are coupled to the communication bus with network interface cards. However, as explicitly taught by McGraw, the network interface card 124 is the link board/card 124.<sup>3</sup> Although McGraw teaches that its link card/board is a network interface card,<sup>4</sup> nowhere in McGraw is there any disclosure regarding a switch blade in addition to McGraw's link card/board (i.e., network interface card). Put another way, Appellant's independent claim 9 recites, among other things, both a network interface and a first switch blade. The Appellant notes that Appellant's network interface and first switch blade are separate and distinct elements. As such, McGraw's mere disclosure of its link card/board cannot teach both a network interface and a first switch blade.

Regarding the second argument, the Examiner's Answer states the following:

In response to Appellant's argument that "McGraw's mere disclosure of its link card/board cannot teach both a network interface and a first switch

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<sup>2</sup> Examiner's Answer, Page 14, Lines 4 – Page 15, Line 2 (emphasis in original).

<sup>3</sup> See e.g., McGraw, Figures 2 and 5 (124), Paragraph [0128].

<sup>4</sup> See e.g., McGraw, Figures 2 and 5 (124), Paragraph [0128].

blade" (Page 8 second paragraph), the Examiner notes that McGraw similarly teaches network interface that connects the device/server cards to the bus 31 and a separate link card/board that is also connected to the bus 31 as explained above.<sup>5</sup>

The Appellant notes that the Examiner mischaracterizes McGraw when alleging that McGraw teaches network interface that connects the device/server cards to the bus 31. As shown above in the Examiner-cited Paragraph [0062] of McGraw, McGraw teaches **"multiple server chassis** [McGraw, Figure 7, top chassis, middle chassis, bottom chassis] may be provided, **each having multiple server processing cards [blades] associated** therewith. **Multiple server chassis** [McGraw, Figure 7, top chassis, middle chassis, bottom chassis] may be coupled using a communication bus [inter-chassis bus], such as communication bus 31. The coupling between **multiple server chassis** [McGraw, Figure 7, top chassis, middle chassis, bottom chassis] may be accomplished by **coupling the communication bus with network interface cards [link boards/cards] in each attached server chassis**." Clearly, as shown above and illustrated in McGraw's Figure 7, coupling multiple server chassis via a inter-chassis bus using network interface cards/link boards is different than connecting individual device/server cards to an intra-chassis bus. Nowhere in McGraw is there any disclosure regarding using network interface cards to connect individual server blades in a multiserver platform to an intra-chassis bus as alleged by the Examiner. Rather, the only network interface taught by McGraw is the link board/card 124.<sup>6</sup> As noted above, Appellant's independent claim 9 recites, among other things, both a network interface

<sup>5</sup> Examiner's Answer, Page 15, Lines 3-8.

<sup>6</sup> See e.g., McGraw, Figures 2 and 5 (124), Paragraph [0128].

**and** a first switch blade. The Appellant notes that Appellant's network interface and first switch blade are separate and distinct elements. As such, McGraw's mere disclosure of its link card/board cannot teach both a network interface **and** a first switch blade.

Regarding the third argument, the Examiner's Answer states the following:

In response to Appellant that "...nowhere in McGraw is there any disclosure regarding McGraw's link card/board performing any switching functions. In fact, nowhere in McGraw do the terms "switch" and "switching" appear in McGraw" (Page 8 last paragraph). The Examiner refers the Appellant to above response for the same argument in claims 1 and 5 where the Examiner indicated how the McGraw's Link card/board functions as switch in light of the Appellant specification and in light of normal switching functions such as bridging between server platforms (chassis) and forwarding message (packets) from one chassis to another based on Chassis ID and slot ID (destination server card).<sup>7</sup>

However, bridging between server platforms does not teach switching. Further, merely forwarding packets received from one chassis to another chassis does not teach switching. The Appellant notes that the terms "switch" and "switching" are well known terms in the art and do not appear anywhere in McGraw because McGraw fails to teach a switch, let alone a switch blade. One of ordinary skill in the art would readily understand that McGraw's mere disclosure of a link card/board (i.e., network interface card)<sup>8</sup> for passing messages between inter-chassis RS-485 bus and local RS-485 bus<sup>9</sup> fails to teach the Appellant's claimed **switch** blades.

Therefore, the Appellant maintains that at least the limitations "a first multiserver platform comprising a **network interface and** a first **switch** blade," and "at least a

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<sup>7</sup> Examiner's Answer, Page 15, Lines 9-18.

<sup>8</sup> See e.g., McGraw, Figures 2 and 5 (124), Paragraph [0128].

<sup>9</sup> See e.g., McGraw, Paragraph [0144].

second multiserver platform comprising a second switch blade coupled to said first switch blade of said first multiserver platform," as set forth in Appellant's independent claim 9, are not anticipated by McGraw.

Additionally, the Examiner's Answer sets forth three arguments in response to the Appellant's arguments related to Appellant's independent claims 1 and 5 in the corresponding section of the Brief on Appeal.

Regarding the first argument, the Examiner's Answer states the following:

The Examiner notes that "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). The Examiner notes that McGraw clearly identifies the link card/board as "The link card in a chassis is the computing device which communicates with link cards and/or computing devices of other chassis to collect information from computing devices within other chassis." (0128). McGraw also refers "The link card entity is a bridge between multiple chassis and is involved in proxy of commands on behalf of console server 50. This enables console server 50 to provide integrated console services across multiple chassis." (0128). Furthermore, "the Link Board forwards the request to the inter-chassis RS-485 bus along the out port and appends a <Data> field to the command. ...The subsequent Inter-chassis Link board that receives this command in turn forwards it further on ... As this messages cycles through the chassis, it finally reaches the Inter-chassis Link board on the chassis with console server. The Link Board in the Chassis then forwards the aggregated response to the console server over the local RS-485 bus." (0138). Therefore, the link card/board of McGraw is a computing device that acts as bridge between multiple chassis as described above and in figure 7. It also performs switching functions such as forwarding messages from one chassis to another as shown in inter-chassis embodiment of figure 7 and paragraphs 0128 and 0138.

Applicant's specification states "The switch blade 140 may be part of the backplane 130. In this regard, the switch blade 140 may be integrated

within the backplane 130 or it may be a plug-in card that may be plugged into the backplane 130." [0029]. The specification also states that "Furthermore, the backplane 130 and/or the switch blades 140 may provide connectivity between the one or more of the blade servers 120 and the network 170." [0031]. In paragraph 40, the Applicant's specification also states "The bus controller 418 and/or the switch blade 408 may also provide **a switching function** that may permit messages to be transferred among the blade servers 406 via the switch blade and from an external source such as the network 170 (FIG. 1) to any one or more of the blade servers 406..."

Therefore, McGraw's link card/board is similar in hardware (plug-in card) and function (provide connectivity between blade server and a network or permitting message to be transferred among computing devices (blade server) as described above and (figure 7 and paragraphs 0128-0131 and 0138). As such in light of the Appellant's disclosure McGraw's Link card/board meets the broadest reasonable interpretation of switch blade and/or switch. As a matter of face, McGraw's definition of the link card/board as a computing device and bridge between multiple chassis which involves in proxy of commands on behalf of console server and forwarding message to devices in other chassis is in conformity with Appellant's invention as described in the specification and claimed by the Appellant.<sup>10</sup>

However, despite the citations to various sections of McGraw in the above-quoted section of the Examiner's Answer, nowhere in the cited sections of McGraw is there any disclosure regarding any switching functionality. In fact, nowhere in the cited sections of McGraw did the well known, unmistakable terms "switch" or "switching" appear in McGraw. Rather, as noted above, bridging between server platforms does not teach switching. Further, merely forwarding packets received from one chassis to another chassis does not teach switching. The Appellant notes that the terms "switch" and "switching" are well known terms in the art and do not appear anywhere in McGraw because McGraw fails to teach a switch, let alone a switch blade. One of ordinary skill

<sup>10</sup> Examiner's Answer, Page 11, Line 15 – Page 13, Line 18 (emphasis in original).



in the art would readily understand that McGraw's mere disclosure of a link card/board (i.e., network interface card)<sup>11</sup> for passing messages between inter-chassis RS-485 bus and local RS-485 bus<sup>12</sup> fails to teach the Appellant's claimed switch blades.

Additionally, as quoted above, the Examiner's Answer again generally quotes to various paragraphs of the Appellant's Specification in alleging that "McGraw's link card/board is similar in hardware (plug-in card) and function (provide connectivity between blade server and a network)." The Appellant notes, however, that nowhere in McGraw is there any disclosure regarding switching functionality as is known in the art and disclosed in the Appellant's Specification.<sup>13</sup> In fact, the terms "switch" and "switching" do not even appear in McGraw.

One of ordinary skill in the art would readily understand that just because a component is embodied as a plug-in card does not necessarily make it a switch blade. Similarly, one of ordinary skill in the art would readily understand that just because a component provides connectivity between a blade server and a network does not necessarily indicate that the component is a switch blade. Rather, one of ordinary skill in the art would readily understand that a switch blade provides, among other things, switching functionality. As such and as discussed above with regard to McGraw's disclosure regarding its link card/board merely passing messages between inter-chassis

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<sup>11</sup> See e.g., McGraw, Figures 2 and 5 (124), Paragraph [0128].

<sup>12</sup> See e.g., McGraw, Paragraph [0144].

<sup>13</sup> See e.g., Appellant's Specification, Paragraphs [32], [40]-[41], [44]-[45], [47] and [49].

RS-485 bus and local RS-485 bus, McGraw's link card/board is clearly not a switch blade.

As further quoted above, the Examiner's Answer states that "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997)." However, the Appellant notes that the "broadest construction rubric coupled with the term 'comprising' does not give the PTO an unfettered license to interpret claims to embrace anything remotely related to the claimed invention. Rather, claims should always be read in light of the specification and teaching in the underlying patent."<sup>14</sup> Further, "the PTO's 'broadest' interpretation must be reasonable, and must be in conformity with the invention as described in the specification."<sup>15</sup> Clearly, the Examiner Answer's, Final Office Action's and Advisory Action's "interpretation" that a reference that fails to even mention the well known, unmistakable terms "switch" and "switching" teaches a switch blade is clearly unreasonable.

Regarding the second argument, the Examiner's Answer states the following:

The Examiner notes that McGraw teaches [0138] In accordance with a particular embodiment of the present invention, **computing devices (e.g. Slave blades) in neighboring chassis** are detected using an embedded microprocessor based, inter-chassis communication board. On detecting an Inter-chassis Link Board on its chassis, the console server sends the Identify Interchassis command on the local RS-485 bus. After sending this command, the console server waits for a response. The Link Board is the only card that acts on this command. On sensing the Identify Interchassis command on the local RS-485 bus, the Link Board forwards the request to the Inter-chassis RS-485 bus along the

<sup>14</sup> See *In re Suitco Surface, Inc.*, 2010 U.S. App. LEXIS 7620 (Fed. Cir. April 14, 2010).

<sup>15</sup> *In re Ravi Vaidyanathan*, Case No. 09-1404 (C.A. Fed, May 19, 2010).

**out port** and appends a <Data> field to the command...The **subsequent inter-chassis Link board that receives this command in turn forwards it further on** but prior to that it increments the <number-of-chassis> field and appends its chassis ID to <chassis ID> field. As this messages cycles through the chassis, it **finally reaches the Inter-chassis Link board on the chassis with console server**. The Link Board in this Chassis then forwards the aggregated response to the console server over the local RS-485 bus." [0138].

McGraw also teaches "[0142] "Whenever the console server **determines a Server Blade** has console data and wants to get it from a Slave Blade, it sends a "Transit<**Slot-Identifier**>" command on the RS-485 bus and listens for a response. **The Slave Blade, whose slot number matches the Slot-Identifier**, on receiving this Transmit command **starts to reply...****The Slot-Identifier indicates the slot number of the Slave Blade** (0142).

**"If the console server has Console data that it needs to send to the Server Blade**, it sends a "Receive <Slot-Identifier><Data."> command on the RS-485 bus and listens for an acknowledgement. The Slave Blade on successfully receiving all the bytes sent by the console server sends the "Acknowledge" message with Error bit cleared. If, on the other hand, the Slave Blade doe not receive the bytes successfully, it sends the "Acknowledge" message with the Error bit set. The console server on receiving this message resends the entire data." (0143).

**"In accordance with a particular embodiment of the present invention, Server Blades in Slot 1 and Slot 2, and the Inter-chassis communication Board, or link board, are capable of assuming the backup console functionality."** [0152].

Thus McGraw clearly teaches determining chassis ID in a message and forwarding the message to right chassis based on the inter-chassis id via an Inter-chassis Link board that forwards the data (message) to another Inter-chassis Link board. McGraw also teaches sending data to particular server blade based on Slot-Identifier whose slot number matches the Slot-Identifier of the server blade. Therefore, Appellant's argument of "determining at least a server blade associated with a second multiserver platform for receiving at least a portion of said received at least one packet," and "routing said at least a portion of said received at least one

packet to at least said server blade," is not persuasive and as of claims 1 and 5 are not allowable.<sup>16</sup>

However, nothing in the above-quoted section of the Examiner's Answer provides any support for the allegation that McGraw's link cards/network interface cards 124 make a determination with regard to which server blade is to receive at least a portion of the received at least one packet and routing the received at least one packet to the determined server blade.

The only "determination" identified by the quoted-section of the Examiner's Answer above is the console server's determination of a server blade having console data. However, determining where to send a command is different than determining where to route received packets.

Further, the mere disclosure of a "slot identifier" in the message does not require a link card/network interface card 124 to make any type of determination regarding the destination. Rather, the destination servers use the identifying information when "listening" for broadcasted messages.

Put simply, as indicated by the Examiner-cited sections of McGraw above, McGraw merely teaches "[t]he Inter-chassis Link Board is responsible for forwarding the queries across the inter-chassis RS-485 bus and collects the responses from the inter-chassis RS-485 bus and conveys it on the local-485 bus to the console server."<sup>17</sup> In other words, McGraw's disclosure regarding merely passing messages between inter-

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<sup>16</sup> Examiner's Answer, Page 8, Line 15 – Page 10, Line 17 (emphasis in original).

<sup>17</sup> See e.g., McGraw, Paragraph [0144], Lines 3-7.

chassis RS-485 bus and local RS-485 bus does not teach "**determining** at least a **server blade** associated with a second multiserver platform **for receiving at least a portion of said received at least one packet**," and "**routing** said at least a portion of said at least one received packet to at least said server blade," as set forth in Appellant's independent claims 1 and 5.

Regarding the third argument,<sup>18</sup> the Examiner's Answer mischaracterizes the Appellant's argument. Specifically, the Final Office Action alleges that McGraw's **Figures 1** and 7 and Paragraphs [0128]-[0131] teach "receiving at least one packet from at least a first switch blade associated with a first multiserver platform," as set forth in Appellant's independent claims 1 and 5.<sup>19</sup> However, **McGraw's Figure 1** fails to show a multiserver platform and a first switch blade, let alone "receiving at least one packet from at least a first switch blade associated with a first multiserver platform," as set forth in Appellant's independent claims 1 and 5. Instead, McGraw's Figure 1 and its supporting disclosure merely disclose a network 30 having computing devices 32-35 having associated consoles 36-39, memory modules 45-48 and interfaces 40-43, which connect the computing devices 32-35 to a console server 50 via communication links 52-55.<sup>20</sup>

In other words, the Appellant was pointing out that at least McGraw's Figure 1 and McGraw's disclosure related to Figure 1 are wholly unrelated to multiserver

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<sup>18</sup> Examiner's Answer, Page 7, Line 6 – Page 8, Line 9.

<sup>19</sup> Final Office Action, Page 3, Lines 1-2.

<sup>20</sup> See e.g., McGraw, Figure 1 and Paragraph [0025].

platforms and the use of blades, let alone switch blades. The Examiner's Answer responds to the Appellant's argument by citing to sections of McGraw referencing McGraw's Figure 7, which does illustrate a multiserver platform, but fails to teach a switch blade. Put simply, the Appellant's argument illustrates the reliance by the Examiner on sections of McGraw that are wholly unrelated to multiserver platforms and blades. Instead of addressing the deficiencies of the noted-sections relied on by the Examiner, the Examiner merely sidesteps the argument by failing to respond to the actual argument presented by the Appellant. The Appellant maintains that at least McGraw's Figure 1 and McGraw's disclosure related to Figure 1 are wholly unrelated to multiserver platforms and the use of blades, let alone switch blades.

Therefore, the Appellant maintains that at least the limitations "receiving at least one packet from at least a first switch blade associated with a first multiserver platform," "determining at least a **server blade** associated with a second multiserver platform **for receiving at least a portion of said received at least one packet,**" and "routing said at least a portion of said at least one received packet to at least said server blade," as set forth in Appellant's independent claims 1 and 5, are not anticipated by McGraw.

Accordingly, independent claims 1, 5 and 9 are not anticipated by McGraw and are allowable. Furthermore, the Appellant reserves the right to argue additional reasons beyond those set forth herein to support the allowability of claims 1, 5 and 9.

**B. Examiner's Response to Arguments**

The Appellant stands by the arguments made in the corresponding section of the Brief on Appeal. The Appellant notes that the Examiner's Answer does not specifically address any of the Appellant's arguments set forth in the corresponding section of the Appellant's Brief on Appeal. Instead, the Examiner's Answer at Page 16, Line 8 – Page 17, Line 2 merely repeats the arguments previously provided at Page 11, Line 18 – Page 12, Line 16 of the Examiner's Answer.

Accordingly, independent claims 1, 5 and 9 are not anticipated by McGraw and are allowable. Furthermore, the Appellant reserves the right to argue additional reasons beyond those set forth herein to support the allowability of claims 1, 5 and 9.

**C. Rejection of Dependent Claims 2-4, 6-8 and 10-15**

The Appellant stands by the arguments made in the corresponding section of the Brief on Appeal.

For example, with regard to Appellant's dependent claims 2 and 6, the Appellant maintains that McGraw at least fails to teach, for example, "receiving said at least one packet by at least a second switch blade associated with a third multiserver platform and a central switch." The Appellant maintains that nowhere in McGraw is there any disclosure regarding any switch blades or switching functions. Further, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), the Appellant notes that nowhere in McGraw is there any disclosure regarding a

central switch. Specifically, as discussed in the Appellant's Specification, a central switch is not part of any multiserver platform and is not part of a daisy chain configuration.<sup>21</sup> Rather, one of the stated advantages in the Appellant's Specification of the central switch configuration is that a packet of data can be sent from a source multiserver platform to a destination multiserver platform without having to pass through intermediate multiserver platform(s).

McGraw explicitly teaches that the multiserver chassis configuration of McGraw's Figure 7 provides communication between the chassis via a bi-directional daisy chain.<sup>22</sup> As such, McGraw's Figure 7 cannot teach Appellant's central switch configuration. Additionally, the Examiner's Answer alleges that the cited section of the Appellant's Specification does not teach that the central switch is not part of any multiserver platform;<sup>23</sup> however, the cited-section of the Appellant's specification distinguishes between the daisy chain configuration (multiserver platforms communicating with each other) as shown in Appellant's Figure 3 and the central switch configuration (multiserver platforms communicating with each other via a central switch independent of the multiserver platforms) as further illustrated in Appellant's Figure 6. As such, the Appellant maintains that even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), McGraw's middle chassis's link board/card in McGraw's Figure 7 cannot be a central switch at least because it is part of the middle chassis and because McGraw's Figure 7 is a bi-directional daisy chain configuration.

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<sup>21</sup> See e.g., Appellant's Specification, Figure 6 and Page 16, Lines 6-14.

<sup>22</sup> McGraw, Figure 7 and Paragraph [0159].

<sup>23</sup> Examiner's Answer, Page 17, Line 10 – Page 19, Line 12



As another example, with regard to dependent claims 3 and 7, the Appellant maintains that McGraw at least fails to teach "if said at least one packet is received by said central switch," "communicating said at least a portion of said at least one received packet to at least a third switch blade associated with said second multiserver platform via at least one communication link that couples said central switch directly to said at least said third switch blade." The Appellant maintains that, as discussed above, nowhere in McGraw is there any disclosure regarding any switch blades or switching functions. Further, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), the Appellant notes that nowhere in McGraw is there any disclosure regarding a central switch coupled to one or more of the switch blades of the multiserver platforms. Specifically, as discussed in the Appellant's Specification, a central switch is not part of any multiserver platform and is not part of a daisy chain configuration.<sup>24</sup> Rather, one of the stated advantages in the Appellant's Specification of the central switch configuration is that a packet of data can be sent from a source multiserver platform to a destination multiserver platform without having to pass through intermediate multiserver platform(s).

McGraw explicitly teaches that the multiserver chassis configuration of McGraw's Figure 7 provides communication between the chassis via a bi-directional daisy chain.<sup>25</sup> As such, McGraw's Figure 7 cannot teach Appellant's central switch configuration. Additionally, the Examiner's Answer alleges that the cited section of the Appellant's

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<sup>24</sup> See e.g., Appellant's Specification, Figure 6 and Page 16, Lines 6-14.

<sup>25</sup> McGraw, Figure 7 and Paragraph [0159].

Specification does not teach that the central switch is not part of any multiserver platform;<sup>26</sup> however, the cited-section of the Appellant's specification distinguishes between the daisy chain configuration (multiserver platforms communicating with each other) as shown in Appellant's Figure 3 and the central switch configuration (multiserver platforms communicating with each other via a central switch independent of the multiserver platforms) as further illustrated in Appellant's Figure 6. As such, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), McGraw's middle chassis's link board/card in McGraw's Figure 7 cannot be a central switch at least because it is part of the middle chassis and because McGraw's Figure 7 is a bi-directional daisy chain configuration.

Additionally, dependent claims 3 and 7 recite a central switch in addition to three (3) multiserver platforms, each multiserver platform comprising a switch blade. In contrast, McGraw's Figure 7 merely illustrates three (3) chassis, each comprising a link board/card, which is different than the Appellant's claim limitations. Also, as discussed above, McGraw explicitly teaches that its Figure 7 is implemented in a daisy-chain configuration,<sup>27</sup> which indicates that even if McGraw did disclose an additional chassis, McGraw's daisy chain configuration would be incapable of teaching three multiserver platforms communicating via a central switch.<sup>28</sup>

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<sup>26</sup> Examiner's Answer, Page 17, Line 10 – Page 19, Line 12

<sup>27</sup> McGraw, Figure 7; Paragraph [0159], Lines 6-7.

<sup>28</sup> See *e.g.*, Appellant's Specification, Page 16, Lines 7-14.

With regard to Appellant's dependent claim 13, the Appellant maintains that McGraw at least fails to teach, for example, "at least one central switch coupled to at least said first switch blade of said first multiserver platform and said second switch blade of said second multiserver platform." The Appellant maintains that, as discussed above, nowhere in McGraw is there any disclosure regarding any switch blades or switching functions. Further, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), the Appellant notes that nowhere in McGraw is there any disclosure regarding a central switch coupled to at least said first switch blade of said first multiserver platform and said second switch blade of said second multiserver platform. Specifically, as discussed in the Appellant's Specification, a central switch is not part of any multiserver platform and is not part of a daisy chain configuration.<sup>29</sup> Rather, one of the stated advantages in the Appellant's Specification of the central switch configuration is that a packet of data can be sent from a source multiserver platform to a destination multiserver platform without having to pass through intermediate multiserver platform(s).

McGraw explicitly teaches that the multiserver chassis configuration of McGraw's Figure 7 provides communication between the chassis via a bi-directional daisy chain.<sup>30</sup> Thus, McGraw's Figure 7 cannot teach Appellant's central switch configuration. As such, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), McGraw's middle chassis's link board/card in McGraw's Figure 7

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<sup>29</sup> See *e.g.*, Appellant's Specification, Figure 6 and Page 16, Lines 6-14.

<sup>30</sup> McGraw, Figure 7 and Paragraph [0159].

cannot be a central switch at least because it is part of the middle chassis and because McGraw's Figure 7 is a bi-directional daisy chain configuration.

With regard to Appellant's dependent claim 14, the Appellant maintains that McGraw at least fails to teach, for example, "at least a third switch blade of a third multiserver platform coupled to said at least one central switch." The Appellant maintains that, as discussed above, nowhere in McGraw is there any disclosure regarding any switch blades or switching functions. Further, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), the Appellant notes that nowhere in McGraw is there any disclosure regarding a central switch coupled to at least said first switch blade of said first multiserver platform, said second switch blade of said second multiserver platform, and a third switch blade of a third multiserver platform. Rather, McGraw's Figure 7 merely illustrates three (3) chassis, each comprising a link board/card, which is different than the Appellant's claim limitations. Also, McGraw explicitly teaches that its Figure 7 is implemented in a daisy-chain configuration,<sup>31</sup> which indicates that even if McGraw did disclose an additional chassis, McGraw's daisy chain configuration would be incapable of teaching three multiserver platforms communicating via a central switch.<sup>32</sup>

Further, as discussed in the Appellant's Specification, a central switch is not part of any multiserver platform.<sup>33</sup> Rather, one of the stated advantages in the Appellant's

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<sup>31</sup> McGraw, Figure 7; Paragraph [0159], Lines 6-7.

<sup>32</sup> See e.g., Appellant's Specification, Page 16, Lines 7-14.

<sup>33</sup> See e.g., Appellant's Specification, Figure 6 and Page 16, Lines 6-14.

Specification of the central switch configuration is that a packet of data can be sent from a source multiserver platform to a destination multiserver platform without having to pass through intermediate multiserver platform(s). As such, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), McGraw's middle chassis's link board/card in McGraw's Figure 7 cannot be a central switch at least because it is part of the middle chassis and because McGraw's Figure 7 is a bi-directional daisy chain configuration.

With regard to Appellant's dependent claim 15, the Appellant maintains that McGraw at least fails to teach, for example, "wherein said first multiserver platform, said second multiserver platform and said third multiserver platform communicate via said central switch." The Appellant maintains that, as discussed above, nowhere in McGraw is there any disclosure regarding any switch blades or switching functions. Further, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), the Appellant notes that nowhere in McGraw is there any disclosure regarding said first multiserver platform, said second multiserver platform and said third multiserver platform communicating via said central switch. Rather, McGraw's Figure 7 merely illustrates three (3) chassis, each comprising a link board/card, which is different than the Appellant's claim limitations. Also, McGraw explicitly teaches that its Figure 7 is implemented in a daisy-chain configuration,<sup>34</sup> which indicates that even if McGraw did

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<sup>34</sup> McGraw, Figure 7; Paragraph [0159], Lines 6-7.

disclose an additional chassis, McGraw's daisy chain configuration would be incapable of teaching three multiserver platforms communicating via a central switch.<sup>35</sup>

Further, as discussed in the Appellant's Specification, a central switch is not part of any multiserver platform.<sup>36</sup> Rather, one of the stated advantages in the Appellant's Specification of the central switch configuration is that a packet of data can be sent from a source multiserver platform to a destination multiserver platform without having to pass through intermediate multiserver platform(s). As such, even if McGraw's link cards/boards could be considered switch blades (which they clearly are not), McGraw's middle chassis's link board/card in McGraw's Figure 7 cannot be a central switch at least because it is part of the middle chassis and because McGraw's Figure 7 is a bi-directional daisy chain configuration.

Accordingly, the Appellant maintains that claims 2-4, 6-8 and 10-15 are allowable over the reference cited in the Final Office Action at least for the above reasons. The Appellant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of claims 2-4, 6-8 and 10-15.

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<sup>35</sup> See *e.g.*, Appellant's Specification, Page 16, Lines 7-14.

<sup>36</sup> See *e.g.*, Appellant's Specification, Figure 6 and Page 16, Lines 6-14.

### CONCLUSION

For at least the foregoing reasons, the Appellant submits that claims 1-15 are in condition for allowance. Reversal of the Examiner's rejection and issuance of a patent on the application are therefore requested.

The Commissioner is hereby authorized to charge additional fee(s) or credit overpayment(s) to the deposit account of McAndrews, Held & Malloy, Account № 13-0017.

Respectfully submitted,

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